



California Department of Human Resources

NAVIGATING THROUGH THE STATE OF CALIFORNIA'S SELECTION PROCESS

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STEPS IN THE HIRING PROCESS

PERSONS SEEKING EMPLOYMENT WITH THE STATE OF CALIFORNIA

- A. Get on an employment list.
 - 1. To get on an employment list a person needs to:
 - Take an examination.
 - Obtain a passing score.
- B. Apply for Jobs.
 - 2. Once a person is on an employment list they can apply for job openings in the classification(s) for which they have attained eligibility on the employment list(s).

HIRING MANAGERS/SUPERVISORS SEEKING APPLICANTS FOR JOBS

- A. Recruit to fill vacant positions.
 - 1. Advertise positions on the Vacancy Database (aka VPOS).
 - 2. Contact eligibles on employment lists.
 - 3. Screen applications based on essential functions of the position.
 - 4. Hire the best person for the job.

Looks simple, doesn't it?

THE SELECTION PROCESS

PURPOSE

To provide participants with information and tools that are necessary for recruiting qualified employees in today's job market.

OBJECTIVES

- A. Provide:
 - 1. A general knowledge of the examination process.
 - 2. A general outline of the hiring process.
 - 3. Information on the functions/services available to managers/supervisors for recruiting qualified employees into their programs.
- B. Identify the:
 - 1. Basic examination information/requirements.
 - 2. Essential information that should be in a job opportunity bulletin.

STATE PERSONNEL BOARD (SPB)

SPB was constitutionally created in 1934 to administer the civil service system and ensure that state employment is based on merit and free of political patronage. A career in public service is the most gratifying and challenging work available. The State of California offers careers in almost every occupation with excellent pay and benefits. Job opportunities are available on a full-time, part-time and seasonal basis. Services provided by SPB include (but is not limited to):

- Civil Rights (Equal Employment Opportunity)
- Test Validation & Construction (Examinations)
- Examination Services (Online Examinations, Consortium Examinations, etc.)
- Bulletins (Examinations and Job Opportunities)

SPB has designed their website to provide the most comprehensive and current information available on state job openings and civil service examinations. There is a wealth of information to assist job seekers in starting a rewarding career in state service. You may visit their website at www.spb.ca.gov.

Note: Currently, California State government's personnel functions are split between DPA and SPB. This will change on July 1, 2012, the effective date for the two departments to once again become one, as the California Department of Human Resources (CalHR).

CALIFORNIA DEPARTMENT OF HUMAN RESOURCES (formerly the Department of Personnel Administration, aka DPA)

CalHR was created in 1981 through a Governor's reorganization act to administer those aspects of the State personnel system that had become subject to collective bargaining under the Ralph C. Dills Act. In 1984, another Governor's reorganization transferred responsibility for allocating State positions to the appropriate civil service classification from the State Personnel Board to CalHR. (Prior to CalHR's creation, SPB was the sole personnel agency in the executive branch.)

CalHR represents the Governor as the "employer" in all matters pertaining to California State personnel employer-employee relations. It's responsible for all issues related to salaries and benefits, job classifications, and training. For most employees, these matters are determined through the collective bargaining process.

Laws and Regulations

CalHR operates under the following laws and regulations:

1. Govt. Code sections 19815 through 19999.7 (established DPA and describes most of its functions)
2. Govt. Code sections 3512 through 3524 (known as "Ralph C. Dills Act," governs collective bargaining in State government's executive branch)
3. California Code of Regulations, Title 2, sections 599.600 through 599.995 (provides regulatory detail on DPA programs)

Note: At the time this webinar was recorded, California State government's personnel functions were split between DPA and SPB. This changed on July 1, 2012, the effective date for the two departments to once again become one, as the California Department of Human Resources (CalHR) with the exception of the functions that remained with SPB in accordance with the California Constitution.

STATE'S SELECTION PROGRAM

EXAMINATIONS

SPB is responsible for overseeing the State's selection system, and ensuring that departmental testing activities result in merit-based, job-related selection decisions in the civil service. It is the intent of SPB to foster consistent and equitable selection standards for State agencies and departments conducting civil service examination processes.

Constitution of the State of California, Article VII, Section 1 (b)

In the civil service permanent appointment and promotion shall be made under a general system based on merit ascertained by competitive examination.

Government Code Sections

18500	18930	18950
18701	18930.5	18951
18710	18937	19702.1
18900		

California Code of Regulations, Title 2, Section 206

Americans with Disabilities Act

California Fair Employment and Housing Act

Civil Rights Act of 1964, Title VII

Civil Rights Act of 1991

Principles for the Validation and Use of Personnel Selection Procedures

Standards for Educational and Psychological Testing

Uniform Guidelines on Employee Selection Procedures (29 CFR 1607)

JOB ANALYSIS

There must be a valid Job Analysis (JA) on file for every examination administration. The length of time it takes to complete a JA is, on average, three to six (3-6) months. JA's for Departments with a larger incumbent group may take up to twelve (12) months to complete. A JA is typically valid for a period of four to six (4-6) years. SPB's Merit Selection Manual, Section 2200, codified in the California Code of Regulations, states:

“Job analysis shall serve as the primary basis for demonstrating and documenting the job-relatedness of examination processes conducted for the establishment of eligible lists within the State's civil service. Further, job analyses conducted by agencies and departments shall adhere to the legal and professional standards outlined in this section, and agencies and departments shall ensure that the following elements are included in job analysis studies conducted:

- The job analysis must be performed for the job for which the subsequent selection procedure is developed and used.
- The job analysis methodology utilized must be described and documented.
- The job analytic data must be presented in writing.
- The job analytic data should be collected from a variety of current sources (e.g., literature review, incumbent input, supervisor input).
- The sample size of SME (Subject Matter Expert) participants in the data collection activities should be representative of the jobs within the job classification for which the job analysis is conducted, as well as of sufficient size to yield adequate data.
- Job tasks must be specified in terms of their importance or criticality and their frequency of performance, as well as a determination of the essential job tasks. Job tasks must be sufficiently detailed to derive the requisite KSAs (Knowledge, Skills and Abilities).
- The important or critical KSAs required upon entry for successful job performance must be specified.
- The KSAs must be operationally defined.
- There must be a linkage (or documented relationship) between the essential tasks and the important, required upon-entry KSAs.”

The bottom line of job analysis for the examination analyst or selection professional is to ensure that the process utilized will adhere to recognized legal and professional standards and requirements, as well as yield adequate job analytic data necessary to design, develop, and administer job-related selection procedures. A thorough, properly conducted job analysis study will serve as the basis for developing job-related selection procedures. As such, job

analysis represents the primary component of the documented validation evidence that links the development and/or use of specific selection procedures for a given job classification to the specific requirements of the job in terms of the qualifications (KSAs) required for successful job performance.

ADVERTISING PERIODS FOR EXAMINATION ANNOUNCEMENTS

The minimum advertising period for all examination announcements is ten (10) working days prior to the final filing date.

EXTRA CREDITS

Extra credits that can be added to examination scores (check the Examination Bulletin).

Veterans Preference points are granted in entrance examinations. An entrance examination is any open competitive examination other than one for a class having a requirement of both college graduation and two or more years of experience. Veterans Preference points are not granted in promotional examinations.

Career Credits are given in open, nonpromotional examinations. The examination bulletin will indicate whether or not Career Credits will be granted. A competitor, who has permanent civil service status, or who has a mandatory right of reinstatement to a position with permanent civil service status, and who attains the passing mark established for an examination (except examinations for managerial classifications) shall have three credits added to his or her final earned score. Career Credits are not granted in promotional examinations.

EXAM TYPES

OPEN EXAMINATIONS

CalHR administers open examinations for the majority of the classifications used in State service. State Agencies/Departments administer open examinations for classifications specific to their work.

In addition, CalHR administers a variety of continuous filing examinations on their website.

PROMOTIONAL EXAMINATIONS

Promotional examinations are typically administered by each State Agency/Department. Participation is typically restricted to current, permanent State employees. Resulting eligible lists are used in accordance to the information on the examination bulletin.

REQUIREMENTS FOR ADMITTANCE TO THE EXAMINATION (MINIMUM QUALIFICATIONS)

All applicants for examination must meet the minimum qualifications, advertised on the bulletin, in order to compete in the examination. If there are any exceptions or substitutions to this requirement it will be clearly indicated on the examination bulletin.

RANKINGS

- A. In Rule of 3 Rank examinations, more than 1 competitor can be placed in an individual rank. The hiring agency may choose eligibles from the top 3 ranks for hiring. There is no limit to the number of names which can fall in any rank unless noted on the examination bulletin.
- B. In Rule of 1 Rank examinations, more than 1 competitor can be placed in an individual rank. This type of ranking affects supervisory classes only (with the exception of those classes designated Rule of 3 Rank). Only those eligibles in the highest rank (one) may be considered for appointment, unless fewer than three names are in Rank 1, then the next rank may be considered also.
- C. In Rule of 3 Name ranking, only 1 name can be placed in each rank. Scores are carried out to the second decimal point. Tie scores are randomly put into ranks by the CalHR's On-Line Examination System. Rule of 3 Name ranking is used in promotional examinations for classifications that do not meet the criteria for A or B (above).

RECRUITMENT FOR JOB VACANCIES

A. Filling Vacant Positions

1. Hiring Package Components.

2. Departmental Form Requesting to Fill a Vacant Position (i.e., Request for Personnel Action).
3. Duty Statement (identifying the classification and describing the duties to be performed).
4. Organizational Chart (identifying where the vacant position is located within the department).
5. Justification (describing the pros/cons of filling the position).
6. Methods of Recruitment (i.e., job opportunity bulletin, contacting eligibles on an employment list, etc.).

B. Eligible Lists

(aka Employment Lists) are established based on California Government Codes 18532 and 18532.1.

1. Government Code 18532 states: "Eligible list" means a list of persons who have been examined in an open competitive examination and are eligible for certification for a specific class. "Limited term list" means an eligible list established for use exclusively in making limited term appointments".
2. Government Code 18532.1 states: "Preferred limited term list" means a list of persons who have served under limited-term appointment and who, in accordance with board rule, are granted eligibility for additional limited-term appointments".
3. Preferred limited term eligible lists are also governed by CCR § 152.

Title 2. Administration

Division 1. Administrative Personnel

Chapter 1. State Personnel Board

Subchapter 1.3. Examination and Appointments

Article 7. Employment Lists (Refs & Annos)

§ 152. Preferred Limited Term List.

A preferred limited term list may be established for any class, containing the names of limited term employees who have served satisfactorily in positions recurring seasonally in a given state agency and who have been recommended by the appointing power for inclusion on such list. Such preferred limited term list shall be established to correspond to the same geographical, organizational, or functional subdivisions of state agencies as may be observed in establishing the departmental reemployment lists for the same class. Names shall be included on the preferred limited term list in the relative order of the original examination ratings of the eligibles. In filling limited term vacancies in a given state agency,

the preferred limited term list for that agency shall be given preference over the eligible list but not over any other employment list. The name of any eligible included on the preferred limited term list may be continued on such list after the abolishment of the eligible list from which the eligible was originally certified; but under no circumstances and at no time shall any person be certified from the preferred limited term list to a permanent position or be permitted to acquire permanent status as a result of certification and appointment from any such list.

C. Employment Lists

Order in which they must be used (per Government Code 19054).

1. NextSTEP (Limited to employees who can no longer work in their current classification).
2. Subdivisional Reemployment (Limited to first interested eligible).
3. Departmental Reemployment (Limited to first interested eligible).
4. General Reemployment (Limited to first three interested eligibles).
5. Super SROA (State Restriction of Appointment) – Bargaining Units – Limited to).
6. SROA List A – Primary Classification (State Restriction of Appointment).
7. SROA List B – Comparable Classification
8. Injured State Worker Assistance Program (ISWAP)
9. Subdivisional Promotional (Limited to first three interested ranks).
10. Departmental Promotional (Limited to first three interested ranks).
11. Multidepartmental Promotional (Limited to first three interested ranks).
12. Servicewide Promotional (Limited to first three interested ranks).
13. Preferred Limited Term (Used for recurring seasonal positions, CCR § 152).
14. Departmental Open (Limited to first three interested ranks).
15. Open (Limited to first three interested ranks).

D. Other Employment Lists

- a. Limited Examination and Appointment Program (LEAP) Employment Lists.

LEAP employment lists may be used in conjunction with open and promotional lists for civil service classifications. This program is explained in more detail on page

E. Employment Lists – Additional Information.

1. NextSTEP

These lists take precedence over all types of appointments, including SROA and surplus, except mandatory reinstatements. Names on these lists are not ranked, meaning that eligibles are placed on the list with no specific order of preference. It is a “Rule of The List” eligible list.

NextSTEP helps find jobs for employees who can't perform their current jobs due to industrial injury or illness.

NextSTEP applies to employees:

- a) In Bargaining Units 1, 4, 15, 18, and 20
- b) With qualified industrial injuries or illnesses, and
- c) Who can't perform the duties of their current class.

NextSTEP uses the SROA eligible list system to help place these employees (See PML 95-054).

NextSTEP employees:

- a) Appear on up to six SROA lists instead of just one
- b) Appear at the top the SROA lists,
- c) Remain on the lists for up to 15 months instead of 120 days,
- d) Have hiring preference over all other employees except mandatory reinstatements, and
- e) Must accept the first valid job offer.

2. Subdivisional and Departmental Reemployment

Names on these lists are in rank order, meaning that eligibles are placed in separate ranks (one per rank). It is a "Rule of One Name" eligible list.

- a) Departments are limited to hiring the first interested eligible on a subdivisional reemployment list.
- b) If there is no subdivisional reemployment list, departments are limited to hiring the first interested eligible on departmental reemployment list.

3. General Reemployment

Names on these lists are in rank order, meaning that eligibles are placed in separate ranks (one per rank). It is a "Rule of Three Names" eligible list.

Departments are limited to hiring from the first three interested eligibles on the list.

If there are fewer than three interested eligibles on the list, departments may make an appointment:

- a) From the SROA list.
- b) Of a Surplus designated employee not on any eligible list.

If there are no interested individuals from the General Reemployment list, SROA list, and no surplus designated employees applied (via advertising on the Vacancy system on the State Personnel Board's website), departments may make an appointment from any of the following lists.

4. Super SROA

These lists are for employees in Bargaining Units 2 and 9, facing layoffs or demotions in lieu of layoffs. Employees receive the same benefits as SROA/Surplus process with some extra ones, including but not limited to:

- a) Departments circulating job announcements directly to Super SROA departments.
- b) Preferential hiring over regular SROA/Surplus employees.

5. SROA

Names on these lists are not ranked, meaning that eligibles are placed on the list with no specific order of preference. It is a “Rule of The List” eligible list.

The State Restriction of Appointments process is an alternative to layoff that gives the Department of Human Resources (CalHR) the authority to restrict the methods of appointment available to appointing powers in order to give employees in jeopardy of layoff an opportunity to retain State employment.

An employee is normally placed on the SROA list for the classification that he/she is currently serving in. Employees in department specific classifications are placed on the SROA list for an appropriate classification in which actual employment opportunities exist (an employee shall be placed only on one appropriate classification list). Example: Associate Mental Health Specialist is used solely by the Department of State Hospitals, therefore, employees in this classification facing layoff would typically be placed on the Associate Governmental Program Analyst SROA list.

Every employee on an SROA list is considered **surplus** for any other classification to which he or she is eligible to transfer and may compete for positions in those classifications with employees on the SROA lists for those classifications. For example, an employee on the Associate Governmental Program Analyst (AGPA) list may compete for a vacant Associate Personnel Analyst (APA) position. A hiring department may hire either the surplus AGPA or someone on the APA SROA list.

Surplus employees have the same rights as an eligible on an SROA list. This means that you must hire a surplus employee that applies for your job vacancy even when no SROA employees apply.

The order of preference, in accordance with GC Section 19054, in certifying eligibles is: NextSTEP; Subdivisional Reemployment List; Departmental Reemployment List; General Reemployment List; SROA List/Surplus status employees; and promotional and open lists. SROA lists will appear on the certification following general reemployment list names; however, **appointments of persons on an SROA list and of persons designated surplus are not list**

appointments, but transfers. This means that, in accordance with GC 19052, the appointments of SROA and surplus employees may take precedence over all list appointments.

6. ISWAP

ISWAP is a listing of employees who have been injured and need to be placed in positions other than their current classification.

ISWAP employees receive no preferential hiring rights; that is, their names are published for information only. Departments may make appointments of ISWAP participants without the requirement of clearing SROA and surplus candidates.

An employee whose medical condition is “permanent and stationary” and is unable to perform his/her normal job may be placed on a maximum of six ISWAP lists and will appear after the names of NextSTEP and SROA employees. ISWAP names may remain on lists for a maximum of one year.

7. Subdivisional Promotional

Subdivisional Promotional lists are typically established for the larger state departments with multiple divisions and/or multiple locations (i.e., Corrections, Highway Patrol, Motor Vehicles, etc.). Eligibility is limited to employees currently employed in the specified subdivision of the department (exceptions are outlined in item number 8).

8. Departmental Promotional

Departmental Promotional employment lists are a result of testing employees already working for the State of California in a permanent position (this includes limited term employees who have already established permanent status, without a break in service, with the State of California).

The following are also eligible to participate in departmental promotional exams:

Legislative Employees who meet the requirements of Government Code 18990.

Persons retired from the United States military, honorably discharged from active military duty with a service-connected disability, or honorably discharged from active duty (Government Code 18991).

Persons holding, for two or more consecutive years, nonelected exempt positions in the executive branch of government as defined in subdivisions (c), (e), (f), (g), (i), and (m) of Section 4 of Article VII of the Constitution and excluding those positions for which the salaries are set by statute (Government Code 18992).

Note: Employees who meet the provisions of Government Codes 18990 and/or 18992 and resign or are released from service, shall be eligible to take promotional civil service examinations, including examinations for career executive assignments, for one year following their resignation or release.

9. Multidepartmental Promotional

Multidepartmental Promotional employment lists are established as result of two or more departments participating in the examination process. One department typically handles the overall maintenance of the employment list, however, all participating departments have the ability to use the list for their own recruitments.

10. Servicewide Promotional

Servicewide Promotional employment lists are typically established as a result of one department administering the examination with the ability of any department being able to use the employment list for their job recruitments. The department administering the examination must seek approval from all departments that use the classification that is being examined. Final approval must be obtained from the State Personnel Board. These employment lists take precedence over Departmental Open and Open employment lists, thus the reason the approvals are required.

11. Preferred Limited Term

Preferred Limited Term lists are available for hiring into positions that are used on a seasonal basis.

12. Departmental Open

Departmental Open employment lists are established as a result of a department administering an open examination for their exclusive use. The majority of Departmental Open examinations are for department specific classifications (used solely by them). Servicewide Classifications (used by most departments, such as Office Assistant, Staff Services Analyst, Associate Government Program Analyst, etc.) require approval from the State Personnel Board for departments to administer on an open basis.

13. Open

Open employment lists are established as a result of the State Personnel Board administering an open examination, for servicewide classifications. All departments have the ability to use open lists for their job recruitments.

14. LEAP

LEAP employment lists are not examination eligibility lists. They are referral lists used to place LEAP individuals in a job setting for completion of the Job Examination Period (JEP) and the LEAP examination process. In light of this, transfer between the LEAP referral list and a non-LEAP eligibility list is not permitted. (Note: A person can simultaneously be on both lists by meeting the requirements of each).

The JEP is the second part of the LEAP Examination. Participation in this process does not guarantee a permanent civil service appointment. LEAP candidates must satisfactorily perform the critical classification requirements of the position to pass the examination and transition to a parallel permanent civil service classification.

The JEP *is* a confidential process.

All LEAP candidates, regardless of rank, are eligible for hiring consideration since “Rule of the List” applies when using the LEAP Referral Lists.

The medical clearance process is the same for LEAP candidates as it is for any other appointment.

A LEAP candidate may initiate a request for reasonable accommodation during the job-examination period (JEP).

During the JEP, the LEAP candidate receives the same salary and benefits of a temporary employee.

If the LEAP candidate’s appointment is half time or greater, he/she is entitled to health, dental and vision benefits.

Leave benefits for LEAP candidates are prorated, based on the time base of the appointment and/or hours worked.

LEAP candidates are eligible to enroll in the State Retirement System upon appointment to a permanent civil service classification.

The LEAP JEP and the civil service probationary period are two separate and distinctive processes. Time served in the JEP does not count toward the probationary period of the civil service classification.

LEAP candidates are temporarily placed in Bargaining Unit 1 until successful transition to the parallel classification, at which time the employee is placed in the appropriate bargaining unit of the parallel classification.

Completion of the disability questionnaire is voluntary; however, LEAP candidates are encouraged to complete the questionnaire to accurately reflect the Department's disability employment goal.

F. JOB OPPORTUNITY BULLETINS

1. Position Descriptions

A position description identifies essential and non-essential tasks that are assigned to a specific job. It also identifies reporting relationships and may also describe required qualifications, minimum requirements, working conditions, and desirable qualifications. Supervisors are responsible for developing and maintaining accurate and current job descriptions for their staff. The duties should be appropriate for the classification and consistent with the specification for that classification. It is not uncommon for duty statements to vary within the same classification due to the various departmental settings and organizational structures.

2. Advertising Periods

- a) Servicewide Classifications (used by multiple departments) must be advertised on SPB's Vacant Positions (VPOS) website for a minimum of five (5) working days.
- b) Department specific classifications (used solely by the department) must be advertised on SPB's Vacant Positions (VPOS) website for a minimum of ten (10) calendar working days.

This ensures that job opportunity bulletins are easily accessible to employees in departments that are facing layoffs, as well as persons (including current employees) seeking jobs in State service.

3. Screening Criteria

- a) Determine and document your screening criteria before you advertise and/or receive applications from interested parties.
- b) Ensure all criteria are job related.
- c) Identify what you are looking for in your job announcement. Remember, the idea here is to give applicants sufficient information for them to screen themselves out.

- d) Consider using a Supplemental Questionnaire, based on the essential functions of the job.
- e) Treat all applicants the same - if you let some applicants in after your final filing date, you must let all applicants in after the final filing date.
- f) Keep track of how you are screening the applicants, so if you're ever asked to demonstrate how you got to your final hire, you can.
- g) Interview the most qualified applicants, based on your screening criteria.
- h) Most important, conduct thorough reference checks.

G. CONTACTING ELIGIBLES ON EMPLOYMENT LISTS

Eligibles on employment lists may be contacted using the Employment Inquiry Form, Std. 628. It shall be the duty of every eligible to respond within a reasonable time to an inquiry to ascertain his interest in appointment to a position. An eligible does not need to respond when he or she is not interested in the position. The following standards shall constitute reasonable response time frames:

Reply by Dates: Day 1 is the first day **after** the letters are mailed – not the same day they are mailed.

Mail:

Six (6) working days – For all eligibles, both in the same area that the position is located (i.e., position is located in Sacramento and the eligibles are located in Sacramento, Folsom, Rancho Cordova, etc.) **and** those who are outside of the area where the position is located (i.e., position is located in Sacramento and the eligibles are located in Placerville, Auburn, Stockton, etc.).

E-mail:

Six (6) working days – For all eligibles, both in the same area that the position is located (i.e., position is located in Sacramento and the eligibles are located in Sacramento, Folsom, Rancho Cordova, etc.) **and** those who are outside of the area where the position is located (i.e., position is located in Sacramento and the eligibles are located in Placerville, Auburn, Stockton, etc.).

Employment Inquiry (Contact) Letters are good for 120 days only. A commitment must be made by the hiring supervisor within this 120-day period. The 120-day period starts with the date the Contact Letters are mailed.

Telephone Inquiries may be done by Personnel Office staff (or the hiring supervisor, with the approval of the C&P Analyst/Manager). The reply by date is two (2) days after the initial contact.

If the eligible is unavailable for employment within 30 calendar days following the date of the job offer, the appointing power may consider this a waiver of appointment.

H. HIRING

A commitment must be made by the hiring supervisor within a 120-day period from the final filing date of the advertisement for the job. If the hire is from a certification list the commitment must be made prior to the expiration date of that certification list.

1. SROA/Surplus employee

SROA and Surplus applicants **must be hired**, unless the appointment is a mandatory reinstatement or is specifically excluded per Section VI of the SROA Manual (located on DPA's website). Exemption requirements are detailed in the SROA Manual, 2004 version, on DPA's website at www.dpa.ca.gov.

2. Reemployment List

Reemployment lists show employees who've been laid off or demoted in lieu of layoff. Hiring departments must hire from reemployments lists before using any other list.

SPB places employees on reemployment lists in seniority order. Employees' names go on the list for their class and every class they demoted through. An employee can appear on up to three reemployment lists for each class.

Employees' names stay on reemployment lists until they're re-hired, or for a maximum of five years, whichever occurs first.

Departmental Reemployment List – Only the layoff department uses this list. The department must hire the first name on the list when it hires for that class.

Subdivision Reemployment List – Only the layoff department uses this list, and only if the layoff only occurred in a particular location. The department must hire the first name on the list when it hires for that class.

General Reemployment List – All hiring departments use this list. The department must hire one of the top three names on the list. If there are less than three names, the department can add names from the next list. That could be SROA or a promotional list, for example.

3. Transfers

State employees may transfer from one job class to another if the levels of duties, responsibility, and salary of the two classes are substantially the same and the classes are not in the same series. It is not necessary to meet the education and experience requirements; but the potential hire must have any license, certificate, credential, etc. The transfer must not constitute a promotion, and the State may establish policy to limit transfer to certain classes, Per CCRs §430-433.

Salaries: "Substantially the same salary" means that the maximum salary of the highest paying class the potential hire was permanently appointed to from an eligible list and the maximum salary of the other class are no further apart than two salary steps minus \$1. To determine the maximum salary of a class to which you may transfer:

- a) Multiply the top step of the potential employee's highest, permanent eligible list appointment classification by 1.05;
- b) Round off to a whole number;
- c) Multiply that number by 1.05;
- d) Round off to a whole number;
- e) Subtract \$1.

Make sure you are comparing the top salary rate for the potential employee's highest, permanent eligible list appointment classification (and alternate range, if the potential employee is in a "deep class"), not the actual current salary of the potential employee.

Note: The losing department has the right to hold the employee for a maximum of thirty (30) calendar days from the date of offer.

4. Promotion

Promotional appointments may only be made from an active employment list. The selected hire must have current eligibility and be reachable, in accordance with SPB rules, in order to be appointed. These appointments can be made from open and promotional eligible lists.

5. Training and Development Assignments (T&D)

Government Code Section 19050.8 and CCR § 426 authorize the temporary loan or assignment of employees within or between agencies for periods not to exceed two years for the purposes of training.

T&D assignments may involve the performance of duties of a classification other than the employee's appointment class. A T&D assignment is the assignment of duties on a part-time or full-time basis for the purpose of training, either to:

- a) Broaden an employee's skills and abilities in the employee's present occupation;
- b) Prepare an employee for a career in a different occupational field; or
- c) Improve an employee's advancement potential.

6. T&D Guidelines

The following guidelines are provided to assist in determining the appropriateness of a T&D assignment. These guidelines are intended to provide enough flexibility to allow T&D assignments between different occupational groups for the purpose of upward mobility and the opportunity to move to nontraditional occupations while ensuring that the flexibility is channeled in as lateral a direction as possible to prevent circumvention of the competitive promotional process.

- a) Employees must have permanent status in their present class, or have probationary status in their present class and previously have had permanent status with no break in service due to a permanent separation since the permanent status.
- b) Eligibility for T&D assignments is based on the employee's permanent appointment level. Employees on temporary or limited-term appointments have to return to their permanent appointment class before going on a T&D assignment.
- c) Employees who are currently on probation, but who have prior permanent status, are permitted to participate in a T&D assignment. However, the appointing power should be advised that T&D assignments do count towards the completion of probation. Therefore, it is not recommended giving T&D assignments to probationary employees when there is any question concerning the employee's ability to perform the duties of their current classification.

There are no provisions in the C.E.A. regulations that permit career executives from accepting T&D assignments. Therefore, career executive assignments are excluded from T&D assignments. This exclusion is to ensure that career executives are assigned only to those positions that have been specifically approved for inclusion in the C.E.A. category.

The primary consideration in making a T&D assignment should be that the training assignment is consistent with the career development plan of the employee and provides for real development experience.

Additional guidelines and standards for T&D assignments are as follows:

- a) T&D assignments may not be used to circumvent a promotional eligible list.

- b) The T&D classification may be to a classification with substantially the same salary to which the employee could voluntarily transfer.
- c) T&D assignments may be made to a classification with a promotional salary range provided that:
 - The higher salaried classification is the classification in the desired occupational area nearest in salary to the employees' current classification that will provide an appropriate training experience; and
 - When the T&D classification is more than three steps higher than the employee's current classification, the intent of the T&D assignment is to prepare the employee for a permanent move to the T&D classification or to a closely related classification, and the employee will meet the minimum qualification for the higher salaried classification by the conclusion of the T&D assignment; and
 - The T&D classification is not in the same classification series as the employee's present classification.

T&D assignments may be made to a classification with a demotional salary range provided that:

- a) It is the classification in the desired occupational area nearest in salary to the employee's current classification that will provide the appropriate training experience; and
- b) Any assignments to classifications that are more than three steps lower than the employee's status classification are approved in advance by the State Personnel Board (SPB); and
- c) The purpose of the T&D assignment is to prepare for future service in a classification to the salary range of the employee's current classification; and
- d) The assignment will provide experience that differs from the duties that the employee has previously performed.

T&D assignments to a lower level of responsibility allow an employee to gain experience in a new occupational field that will ultimately prepare them for service at or above their current classification level. T&D assignments to lower classes are also appropriate when it will reduce the impact of a cut in the employee's salary while they are gaining the experience needed to meet the alternate range criteria of a class they intend to transfer into. In applying the guidelines of a T&D assignment to a lower level classification, care must be taken to ensure that the lower level assignment really constitutes the required training for a future assignment at or above the employee's current classification level. Lower level T&D assignments are not appropriate in situations where a disciplinary or medical demotion is the more appropriate remedy.

NOTE: T&D assignments from one department to another requires the approval of both departments (the potential employee's current department and the hiring department). The current department has the right to deny a T&D assignment of their employee to another department.

7. Open - New to the State

Appointments of persons new to the state are from open employment lists. The selected hire must be reachable, in accordance with SPB rules, in order to be appointed. In instances where there is no employment list for the classification of the position that needs to be filled, departments may utilize a comparable list known as an Appropriate List. Use of an Appropriate List requires SPB approval.

8. Student Assistants

Employment in this class is restricted to students who are admitted for enrollment in a curriculum the subject matter of which will prepare the student to assist in attaining the objectives of the departmental organization where he/she will be employed. Employment in the class is based on continued enrollment in a college program.

The class provides a means of part-time or temporary employment where by students may receive on-the-job instruction and perform work that will provide practical experience in work tasks related to their field of study and develop familiarity with the laws and programs administered by the State of California.

9. Youth Aids

Employment in this class is during summer months or on a part-time or intermittent basis during the school year in positions consistent with continued school attendance, to perform a variety of tasks which require limited or no work experience.

10. Seasonal

Senate Bill 1073, effective January 1, 2000, requires that priority consideration be given to any individual who meets the minimum qualifications and is receiving public assistance under the CalWORKS Program for any specified seasonal or entry level non-testing class vacancies.

To obtain CalWORKS referrals, a state agency must list each vacancy with the Employment Development Department Job Service Office closest to the work site. Interested and eligible candidates are encouraged to check with their closest EDD Job Service Office.

- a) The following State civil service non-testing classifications subject to priority consideration per Government Code 19063:

Agricultural Aide (Seasonal)
Agricultural Inspector/Technician I (Seasonal)
Agricultural Inspector/Technician II (Seasonal)
Agricultural Inspector/Technician III (Seasonal)
Archeological Aid (Seasonal)
Archeological Project Leader (Seasonal)
Archeological Specialist (Seasonal)
Assistant Exam Proctor
Backcountry Trails Camp Supervisor CCC
Community Youth Resources Specialist
Election Official, PERB
Examination Proctor
Exposition Assistant I
Fish and Wildlife Aid (Seasonal)
Fish and Wildlife Scientific Aid
Group Supervisor Trainee
Guide Trainee, Historical Monument
Labor Supervisor (Casual Employment)
Laborer – Building Trades (Casual Employment)
License Inspector (Seasonal)
Lifeguard I (Seasonal)
Lifeguard II (Seasonal)
Maintenance Aid (Seasonal)
Maintenance & Service Occupational Trainee
Mechanical & Technical Occupational Trainee
Office Occupations Trainee
Park Aid (Seasonal)
Park Aid (Seasonal) (Angel Island)
Park Interpretive Specialist (Seasonal)
Pool Lifeguard (Seasonal)
Processing Fruit & Vegetable Inspector I (Seasonal)
Processing Fruit & Vegetable Inspector II (Seasonal)
Processing Fruit & Vegetable Inspector III (Seasonal)
Seasonal Clerk (Seasonal)
Senior Park Aid (Seasonal)
Skilled Trades Apprentice (Casual Employment)
Skilled Trades Apprentice (Casual Employment) (Asbestos Worker
Mechanic)
Skilled Trades Apprentice (Casual Employment) (Blacksmith)
Skilled Trades Apprentice (Casual Employment) (Carpenter)
Skilled Trades Apprentice (Casual Employment) (Carpet/Soft Tile
Setter/Resilient Floor Covering Installer)
Skilled Trades Apprentice (Casual Employment) (Cement Finisher)
Skilled Trades Apprentice (Casual Employment) (Construction
Equipment)
Skilled Trades Apprentice (Casual Employment) (Construction

Equipment)

Skilled Trades Apprentice (Casual Employment) (Electrician)
Skilled Trades Apprentice (Casual Employment) (Fusion Welder)
Skilled Trades Apprentice (Casual Employment) (Glazier)
Skilled Trades Apprentice (Casual Employment) (Hodcarrier)
Skilled Trades Apprentice (Casual Employment) (Lather)
Skilled Trades Apprentice (Casual Employment) (Mason)
Skilled Trades Apprentice (Casual Employment) (Metal Trades)
Skilled Trades Apprentice (Casual Employment) (Milwright)
Skilled Trades Apprentice (Casual Employment) (Operating Engineer)
Skilled Trades Apprentice (Casual Employment) (Painter)
Skilled Trades Apprentice (Casual Employment) (Plumber)
Skilled Trades Apprentice (Casual Employment) (Reinforcing Steel)
Skilled Trades Apprentice (Casual Employment) (Roofer)
Skilled Trades Apprentice (Casual Employment) (Sheet Metal)
Skilled Trades Apprentice (Casual Employment) (Shipwright)*
Skilled Trades Apprentice (Casual Employment) (Steamfitter)
Skilled Trades Apprentice (Casual Employment) (Tile Setter)
Skilled Trades Apprentice (Casual Employment) (Welder)
Snow Gauger
State Fair Worker (Casual Employment) (Various)
Survey Interviewer
Temporary Clerk

- b) The following classifications are not subject to Government Code 19063:

Agricultural Survey Interviewer I
Animal Technician I
Fire Lookout (Seasonal)
State Fair Police Officer (Seasonal)

I. CALIFORNIA GOVERNMENT CODES CITED

The following Government Codes, cited throughout this booklet, are listed for convenience only. Refer to the State of California's Office of Administrative Law's website at www.oal.ca.gov for up-to-date information.

18211. Regulations adopted by the State Personnel Board are exempt from the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3), except as provided in Sections 18215 and 18216.

18213. A regulation concerning the following may be adopted without public notice or comment:

(a) Selection and examinations. However, all of these rules shall be reasonably available to all interested parties.

(b) Classification.

18500. It is the purpose of this part:

(a) To facilitate the operation of Article VII of the Constitution.

(b) To promote and increase economy and efficiency in the state service.

(c) To provide a comprehensive personnel system for the state civil service, in which:

(1) Positions involving comparable duties and responsibilities are similarly classified and compensated.

(2) Appointments are based upon merit and fitness ascertained through practical and competitive examination.

(3) State civil service employment is made a career by providing for security of tenure and the advancement of employees within the service insofar as consistent with the best interests of the state.

(4) The rights and interests of the state civil service employee are given consideration insofar as consistent with the best interests of the state.

(5) Applicants and employees are treated in an equitable manner without regard to political affiliation, race, color, sex, religious creed, national origin, ancestry, marital status, age, sexual orientation, disability, political or religious opinions or nonjob-related factors.

(6) Tenure of civil service employment is subject to good behavior, efficiency, the necessity of the performance of the work, and the appropriation of sufficient funds.

18532. "Eligible list" means a list of persons who have been examined in an open competitive examination and are eligible for certification for a specific class. "Limited term list" means an eligible list established for use exclusively in making limited term appointments.

18532.1. "Preferred limited term list" means a list of persons who have served under limited-term appointment and who, in accordance with board rule, are granted eligibility for additional limited-term appointments.

18525.3. "Transfer" means both of the following:

(a) The appointment of an employee to another position in the same class but under

another appointing power.

(b) The appointment of an employee to a position in a different class that has substantially the same level of duties, responsibility, and salary, as determined by board rule, under the same or another appointing authority.

18701. The board shall prescribe, amend, and repeal rules in accordance with law for the administration and enforcement of this part and other sections of this code over which the board is specifically assigned jurisdiction. Due notice of the contents of the rules shall be given to appointing powers and employees. Within a reasonable time after adoption, such rules and amendments shall be published in such manner as the board determines, and distributed free or at a reasonable cost.

18710. All orders and decisions of the board made pursuant to Article VII of the California Constitution or this part shall be obeyed by and are binding upon all parties to a proceeding before it, including, but not limited to, appointing powers and all their employees, including their personnel officers, regardless of whether an appointing power or other party agrees or disagrees with a decision or order of the board.

All orders and decisions, other than orders or decisions of the board itself, shall be reviewed by the executive officer or an employee of the board designated by the executive officer.

If any appointing power or other party refuses or neglects to comply with any such order or decision, the board may, in its sole discretion, after investigation with or without a hearing, do any of the following:

- (a) Issue further findings interpreting or clarifying the order or decision.
- (b) Issue further findings as to whether an appointing power or other party has or has not complied with the order or decision.
- (c) Issue an order to show cause, directed to the appointing power, why the board should not file a petition for a writ of mandate to compel the appointing power to comply with the order or decision.

If the board finds that no good cause exists for the refusal or neglect of the appointing power or other party to comply with the order or decision, the board may issue a further order or decision consistent with its findings. Alternatively, the board may file a petition for a writ of mandate in the manner and in the court provided for by law to compel the appointing power or other party to comply with the order or decision.

This procedure for the enforcement of the orders and decisions of the board is in addition to any other means or procedure which may be provided by law. Nothing in this section shall preclude a party to a proceeding before the board from seeking judicial enforcement of an order or decision of the board.

18807. (a) The board, by resolution, shall define the term "salary step" for the purpose of administering civil service laws and rules that control movement of employees between classifications.

(b) Salary steps defined pursuant to this section shall be subject to the following requirements:

- (1) The steps shall be as close to 5 percent as the board determines to be practicable.
- (2) The steps shall logically reflect the pay relationships among each group of classifications.

(3) The steps shall maintain servicewide consistency and continuity in the percentage of salary increase permitted when an appointment is made without a competitive examination.

(c) A resolution adopted pursuant to this section shall be adopted at a public meeting and shall be made publicly available before and after its adoption.

18900. (a) Eligible lists shall be established as a result of free competitive examinations open to persons who lawfully may be appointed to any position within the class for which these examinations are held and who meet the minimum qualifications requisite to the performance of the duties of that position as prescribed by the specifications for the class or by board rule.

(b) Notwithstanding subdivision (a), the board may limit the size of candidate groups in entry-level and nonpromotional examinations when doing so would be in the best interest of the state and effective competition can occur among a smaller number of applicants.

18930. Examinations for the establishment of eligible lists shall be competitive and of such character as fairly to test and determine the qualifications, fitness, and ability of competitors actually to perform the duties of the class of position for which they seek appointment.

Examinations for managerial positions, except for career executive assignments as defined in Section 18547, peace officers defined in subdivision (a) of Section 830.2 of the Penal Code, and managerial positions of the Department of Forestry and Fire Protection in the classes of State Forest Ranger IV and Assistant Deputy State Forester, shall be held on an open basis unless the appointing authority determines otherwise. "Managerial position" means those positions having the duties which are defined under "managerial employees" in subdivision (e) of Section 3513. When an open examination is administered for a noncareer executive assignment managerial position, the names of the applicants who pass the examination with a passing score shall be placed on one list and ranked in the relative order of the examination score received.

Examinations may be assembled or unassembled, written or oral, or in the form of a demonstration of skill, or any combination of these; and any investigation of character, personality, education, and experience and any tests of intelligence, capacity, technical knowledge, manual skill, or physical fitness which the board deems are appropriate, may be employed.

18930.5. The board may designate an appointing power to design, announce, or administer examinations for the establishment of employment lists in accordance with Section 18654 and board rule. No later than January 1, 1987, the board shall authorize or assess the ability of appointing powers to design, announce, or administer designated examinations for the establishment of employment lists. The board may audit examinations and order corrective action or nullify any examination or parts thereof which have been conducted improperly.

A designated appointing power may contract with the board or another designated appointing power for the purpose of designing, publicizing, or administering an examination.

18937. The passing mark for an examination may be other than the true percentage or average published as a part of the announcement of the examination, if deemed by the board or a designated appointing power to be justified in order to provide an adequate eligible list or to adjust for the apparent difficulty of an examination. In establishing any eligible list or promotional list following an examination, the names of the persons who have attained the passing mark in such examination shall be placed on the list in the order of final earned ratings, except as such order may be modified by the application of veterans' preferences. When the order of names has been determined after applying the appropriate veterans' preference credits, the board may thereafter limit to suit the needs of the service the number of names to be placed on the employment list.

18950. Vacancies in positions shall be filled insofar as consistent with the best interests of the state from among employees holding positions in appropriate classes, and appropriate promotional lists shall be established to facilitate this purpose, except as provided in Section 18930. Examinations shall be held on an open, nonpromotional basis when, in the judgment of the board, open competition will produce eligible lists with more highly skilled qualified candidates and is consistent with the best interests of the state.

The board may prescribe conditions under which state employees, persons on leave of absence, and persons whose names are on appropriate reemployment lists, may be permitted to compete in promotional examination and to attain eligibility for appointment.

The board may further prescribe conditions under which eligibility may be transferred from one promotional list to another promotional list when such lists are for the same class and have been established as a result of the same or a similar examination.

18951. The board and each state agency and employee shall encourage economy and efficiency in and devotion to state service by encouraging promotional advancement of employees showing willingness and ability to perform efficiently services assigned them, and every person in state service shall be permitted to advance according to merit and ability.

In an examination held on an open, nonpromotional basis under the provisions of Section 18950, a competitor, who has permanent civil service status, or who has a mandatory right of reinstatement to a position with permanent civil service status, and who attains the passing mark established for an examination which is not for a managerial position as defined in Section 3513, shall have three credits added to his or her earned score. Such credits shall be known as career credits.

18990. (a) Notwithstanding any other provision of law or rule, persons employed by the Legislature for two or more consecutive years shall be eligible to apply for promotional civil service examinations, including examinations for career executive assignments, for which they meet the minimum qualifications as prescribed by the class specification. Persons receiving passing scores shall have their names placed on promotional lists resulting from these examinations or otherwise gain eligibility for appointment. In evaluating minimum qualifications, related legislative experience shall be considered state civil service experience in a comparable class, based on the duties and responsibilities assigned.

(b) In cases where promotional examinations are given by more than one department for the same classification, the employee shall select one department in which to compete. Once this selection is made, it cannot be changed for the duration of the promotional list established from the examination in which the employee participated. Employees may transfer list eligibility between departments in the same manner as provided for civil service employees.

(c) Employees who meet the requirements of this section, are employed by the Legislature, and who resign or are released from service, shall be eligible to take promotional civil service examinations, including examinations for career executive assignments, for one year following their resignation or release in accordance with subdivisions (a) and (b).

(d) Employees who meet the requirements of this section, are employed by the office of the Auditor General or the office of the Legislative Analyst as of January 1, 1992, and who resign or are released from service due to a force reduction of the Legislature before January 1, 1994, shall be eligible to take promotional civil service examinations, including career executive assignments, for three years following their resignation or release in accordance with subdivisions (a) and (b).

(e) An employee who establishes eligibility on a promotional civil service list, either pursuant to subdivision (c) or (d) or prior to having resigned or having been released in a manner to which subdivision (c) or (d) would apply, shall maintain that eligibility for the duration of that particular list.

(f) This section shall become operative on January 1, 2013.

18991. (a) Notwithstanding any other provision of law, persons retired from the United States military, honorably discharged from active military duty with a service-connected disability, or honorably discharged from active duty, shall be eligible to apply for promotional civil service examinations, including examinations for career executive assignments, for which they meet the minimum qualifications as prescribed by the class specification. Persons receiving passing scores shall have their names placed on promotional lists resulting from these examinations or otherwise gain eligibility for appointment. In evaluating minimum qualifications, related military experience shall be considered state civil service experience in a comparable class, based on the duties and responsibilities assigned.

(b) In cases where promotional examinations are given by more than one department for the same classification, the employee shall select one department in which to compete. Once this selection is made, it cannot be changed for the duration of the promotional list established from the examination in which the employee participated. Employees may transfer list eligibility between departments in the same manner as provided for civil service employees.

(Amended by Stats. 2012, Ch. 360, Sec. 35. Effective January 1, 2013)

18992. (a) Notwithstanding any other provision of law or rule, persons holding, for two or more consecutive years, nonelected exempt positions in the executive branch of government as defined in subdivisions (c), (e), (f), (g), (i), and (m) of Section 4 of Article VII of the Constitution and excluding those positions for which the salaries are set by statute, shall be eligible to apply for promotional civil service examinations, including, but not limited to, examinations for career executive assignments for which they meet the minimum qualifications as prescribed by the class specification. Persons receiving passing scores shall have their names placed on promotional lists resulting from these examinations or otherwise gain eligibility for appointment. In evaluating minimum qualifications, related exempt experience shall be considered state civil service experience in a comparable class.

(b) In cases where promotional examinations are given by more than one appointing authority for the same classification, the employee shall select one appointing authority in which to compete. Once this selection is made, it cannot be changed for the duration of the promotional list established from the examination in which the employee participated. Employees may transfer list eligibility between appointing authorities in the same manner as provided for civil service employees.

(c) Employees who meet the requirements of this section and who resign or are released from exempt employment of the executive branch of government shall be eligible to take promotional civil service examinations, including examinations for career executive assignments, for one year following their resignation or release in accordance with subdivisions (a) and (b).

(d) An employee who establishes eligibility on a promotional civil service list, either pursuant to subdivision (c) or prior to having resigned or having been released in a manner to which subdivision (c) would apply, shall maintain that eligibility for the duration of that particular list.

(e) This section shall become operative on January 1, 2013.

19063. (a) Any person receiving state public assistance under the CalWORKs program (Article 3.2 (commencing with Section 11320) of Chapter 2 of Part 3 of Division 9 of the Welfare and Institutions Code) who meets the minimum qualifications for any civil service position described by the State Personnel Board as a seasonal or an entry level nontesting class that does not require an examination shall be given priority consideration. "Priority consideration" means, for the purposes of this article, that after consideration has been made for all conditions described in this section, the state agency involved shall hire all qualified job applicants who are receiving state public assistance before hiring any other applicant. The board shall review all nontesting classes and determine those that are subject to this article.

(b) Public assistance recipients who apply for openings under this article shall be required to undergo the same employment process used by state agencies to select any other person for appointment to a position in such a class. If a state agency does

not select a public assistance recipient to fill an opening, it shall document in its employment records the reasons why the public assistance recipient was not selected and any other information determined to be necessary by the board.

(c) The employment of public assistance recipients shall be consistent with the goals established by each agency under Section 19790.

(d) This section shall not preclude a state agency from hiring any person appointed during the prior 12 months in the class for which the vacancy exists.

19702.1. Hiring and promotion pursuant to this part shall conform to the Federal Civil Rights Act of 1964.

19790. Each state agency is responsible for establishing an effective equal employment opportunity program. The State Personnel Board shall be responsible for taking all steps necessary to provide statewide advocacy, coordination, enforcement, and monitoring of these programs.

J. CALIFORNIA CODE OF REGULATIONS CITED

The following California Code of Regulations, cited throughout this booklet, are listed for convenience only. Refer to the State of California's Office of Administrative Law's website at www.oal.ca.gov for up-to-date information.

Title 2. Administration
Division 1. Administrative Personnel
Chapter 1. State Personnel Board
Subchapter 1.3. Examination and Appointments
Article 7. Employment Lists

§ 152. Preferred Limited Term List.

A preferred limited term list may be established for any class, containing the names of limited term employees who have served satisfactorily in positions recurring seasonally in a given state agency and who have been recommended by the appointing power for inclusion on such list. Such preferred limited term list shall be established to correspond to the same geographical, organizational, or functional subdivisions of state agencies as may be observed in establishing the departmental reemployment lists for the same class. Names shall be included on the preferred limited term list in the relative order of the original examination ratings of the eligibles. In filling limited term vacancies in a given state agency, the preferred limited term list for that agency shall be given preference over the eligible list but not over any other employment list. The name of any eligible included on the preferred limited term list may be continued on such list after the abolishment of the eligible list from which the eligible was originally certified; but under no circumstances and at no time shall any person be certified from the preferred limited term list to a permanent position or be permitted to acquire permanent status as a result of certification and appointment from any such list.

Title 2. Administration
Division 1. Administrative Personnel
Chapter 1. State Personnel Board
Subchapter 1.3. Examination and Appointments
Article 8. Examinations

§ 206. Minimum Rating Required.

Competitors shall be required to attain a score of not less than 70 percent in each part of the examination and a general average score of not less than 70 percent in order to qualify in an examination; except that, in a promotional examination, it is within the discretion of the executive officer to require a higher general minimum average, which minimum shall in no case exceed 85 percent. In written tests, the 70 percent used to represent the minimum score need not be the arithmetic 70 percent of the total possible score but may be an adjusted score based on a consideration of the difficulty of the test, the quality of the competition, and the needs of the service. Any such adjusted score shall be established before the identification of the competitors' examination papers.

Note: Reference: Sections 18936 and 18937, Government Code.

Title 2. Administration
Division 1. Administrative Personnel
Chapter 1. State Personnel Board
Subchapter 1.3. Examination and Appointments
Article 10. Appointments

§ 258. Reply to Inquiry Following Certification.

It shall be the duty of every eligible to respond within a reasonable time to an inquiry to ascertain his interest in appointment to a position. An eligible does not need to respond when he or she is not interested in the position. The following standards shall constitute reasonable response time frames:

- (1) Telephone: two business days' response time following the initial contact;
- (2) Mail: six business days after the date the notice is sent;
- (3) E-mail: six business days after the date the notice is sent.

If the eligible is unavailable for employment within 30 calendar days following the date of the job offer, the appointing power may consider this a waiver of appointment.

Note: Authority cited: Section 18701, Government Code. Reference: Section 19050, Government Code.

Title 2. Administration
Division 1. Administrative Personnel
Chapter 1. State Personnel Board
Subchapter 1.3. Examination and Appointments
Article 19. Transfer

§ 426. Temporary Assignments or Loans.

Temporary assignments or loans of employees in accordance with Section 19050.8 of the Government Code may be made with the approval of the executive officer, provided that such assignments shall be documented by a written statement containing the following information:

- (a) The duration and duties of the assignment.
- (b) Certification that a layoff by reason of such assignment or loan will not become necessary in the appointing agency.
- (c) If the assignment is for training and development purposes, a description of the training to

be accomplished.

(d) If the temporary assignment is for compelling management need purposes, a description of the management need and the staff expertise required; justification that the agency's needs cannot be met through the existing organizational structure; certification that the employee possesses the required expertise; and certification that the employee has voluntarily consented to the assignment.

(e) If the temporary assignment is to facilitate the return of an injured employee to work, justification of the need of such an assignment and medical verification of the employee's condition.

Any participating agency or employee may terminate the assignment at any time for any reason or the executive officer may terminate it if it is being carried on contrary to or in a manner inconsistent with the Government Code or these regulations. An employee participating in such an arrangement shall be considered for all purposes of the Government Code and regulations as an employee of the agency from which loaned or assigned except that the employee's salary may be paid in any proper manner agreed upon by the participating agencies.

The board shall be notified upon termination of any temporary assignment.

Note: Authority cited: Section 19050.8, Government Code. Reference: Section 19050.8, Government Code.

§ 430. General.

Classes meeting the criteria established by this article shall be considered to involve substantially the same level of duties, responsibility and salary for the purposes of Government Code Section 19050.4; provided that the board or the executive officer may prohibit transfer between such classes based on a specific finding that they are in a promotional relationship.

The board or executive officer may also prohibit transfers from classes that have been specifically established for limited duration positions.

Note: Authority cited: Section 18701, Government Code. Reference: Section 19050.4, Government Code.

§ 431. Salary and Class Level Comparisons.

(a) The following definitions shall apply to salary and class level comparisons made under this chapter:

(1) "Substantially the same salary range or salary level" means the maximum rate of the salary range of one class is less than two steps higher than or is the same as the maximum rate of the salary range of another class.

(2) “Promotional salary relationship, range or level” means the maximum rate of the salary range of one class is at least two steps higher than the maximum rate of the salary range of another class.

(3) “Salary range” means the range of rates between, and including, the minimum and maximum rate currently authorized for the class.

(4) “Rate,” for employees compensated on a monthly basis, means any one of the full dollar amounts found within the salary ranges established by the Department of Personnel Administration and, for employees compensated on a daily or hourly basis, means any one of the dollar and cents amounts found within the salary range.

(5) Unless otherwise provided by resolution of the board, “step,” for employees compensated on a monthly basis, means a five percent differential above or below a salary rate, rounded to the nearest dollar and, for employees compensated on a daily or hourly basis, means a five percent differential above or below a rate rounded to the nearest dollar and cents amount.

(A) Pursuant to (5), one step higher is calculated by multiplying the rate by 1.05. One step lower is calculated by dividing the rate by 1.05 (e.g., $\$2,300 \times 1.05 = \$2,415$, one step higher; $2,300 \div 1.05 = 2,190$ one step lower).

(B) Pursuant to (1) and (2), two steps higher is calculated by multiplying the rate by 1.05 and then multiplying the product by 1.05 (e.g., $\$2,300 \times 1.05 = \$2,415 \times 1.05 = \$2,536$, two steps higher).

(b) Unless otherwise provided by resolution of the board, the maximum rate of the lowest salary range currently authorized for a class is used to make salary comparisons for the purposes of this chapter.

Note: Authority cited: Section 18701, Government Code. Reference: Sections 18807 and 19050.4, Government Code.

§ 432. Class Series.

For the purpose of this article, a class series is any vertically related group of classes, covering the same occupational specialty and same program area, which constitute a primary promotional pattern for a specifically identifiable group of employees.

Note: Authority cited: Section 18701, Government Code. Reference: Section 19050.4, Government Code.

§ 433. Voluntary Transfers Between Classes.

Unless specifically prohibited pursuant to Section 430 or the provisions of 433.1, appointing powers may allow employees to voluntarily transfer between classes when the employee possesses any licenses, certificates, or registration required in the “to” class provided that either:

(a) The salary range of the “to” class is exactly the same or any amount lower than that of the “from” class.

Or

(b) The salary range of the “to” class is any amount higher than that of the “from” class, provided that:

(1) It is not a promotional salary range; and

(2) The two classes are in different class series unless the board specifically provides for transfer within a series; and

(3) There is no class in the “to” series that is exactly the same in salary as the “from” class; and

(4) The “to” class is the class in its series that is immediately higher in pay than the “from” class; and

(5) The transfer does not preclude a future transfer that is part of the established upward mobility pattern through which the employee is moving; and

(6) The two classes do not contain positions that have a supervisory-subordinate relationship under the appointing power making the transfer.

In applying these criteria, separate salary ranges within a class shall be treated as if they were separate classes when a board resolution allows salary ranges other than the lowest range for the class to be used for salary comparison purposes.

Note: Authority cited: Section 18701, Government Code. Reference: Section 19050.4, Government Code.

§ 433.1. Voluntary Transfers Between Classes -Bargaining Unit 10 Employees.

Unless specifically prohibited pursuant to Section 430, appointing powers may allow employees to voluntarily transfer between classes when the employee possesses any licenses, certificates, or registration required in the “to” class provided that either:

(a) The salary range of the “to” class is exactly the same or any amount lower than that of the “from” class; and, for any class assigned to State Bargaining Unit 10, excluding the following listed classes, the employee shall meet the minimum education requirement as identified in the respective class specification: Energy Analyst, Energy Resources Specialist I and II; Hazardous Materials Specialist, Associate Hazardous Materials Specialist and Senior Hazardous Materials Specialist (Technical); Associate Energy Specialist (Efficiency) and Energy Commission Specialist I, II, and III (Efficiency); Associate Energy Specialist (Forecasting) and Energy Commission Specialist I, II, and III (Forecasting); Associate Energy Specialist (Technology Evaluation and Development) and Energy Commission Specialist I, II,

and III (Technology Evaluation and Development); Assistant and Associate Geologist and Senior Geologist (Specialist); Associate Geophysicist; Health and Safety Program Specialist I, II, and III; Assistant and Associate Meteorologist; Senior Meteorologist, Water Resources; Microbiologist Intern; Petroleum Geologist; Integrated Waste Management Specialist and Senior Integrated Waste Management Specialist; and Pest Prevention Assistant I, II, and III (Various Projects).

Or

(b) The salary range of the “to” class is any amount higher than that of the “from” class, provided that:

- (1) It is not a promotional salary range; and
- (2) The two classes are in different class series unless the board specifically provides for transfer within a series; and
- (3) There is no class in the “to” series that is exactly the same in salary as the “from” class; and
- (4) The “to” class is the class in its series that is immediately higher in pay than the “from” class; and
- (5) The transfer does not preclude a future transfer that is part of the established upward mobility pattern through which the employee is moving; and
- (6) The two classes do not contain positions that have a supervisory-subordinate relationship under the appointing power making the transfer; and
- (7) For any class assigned to State Bargaining Unit 10, excluding the following listed classes, the employee shall meet the minimum education requirement as identified in the respective class specification: Energy Analyst, Energy Resources Specialist I and II; Hazardous Materials Specialist, Associate Hazardous Materials Specialist and Senior Hazardous Materials Specialist (Technical); Associate Energy Specialist (Efficiency) and Energy Commission Specialist I, II, and III (Efficiency); Associate Energy Specialist (Forecasting) and Energy Commission Specialist I, II, and III (Forecasting); Associate Energy Specialist (Technology Evaluation and Development) and Energy Commission Specialist I, II, and III (Technology Evaluation and Development); Assistant and Associate Geologist and Senior Geologist (Specialist); Associate Geophysicist; Health and Safety Program Specialist I, II, and III; Assistant and Associate Meteorologist; Senior Meteorologist, Water Resources; Microbiologist Intern; Petroleum Geologist; Integrated Waste Management Specialist and Senior Integrated Waste Management Specialist; and Pest Prevention Assistant I, II, and III (Various Projects).

In applying these criteria, separate salary ranges within a class shall be treated as if they were separate classes when a board resolution allows salary ranges other than the lowest range for the class to be used for salary comparison purposes.

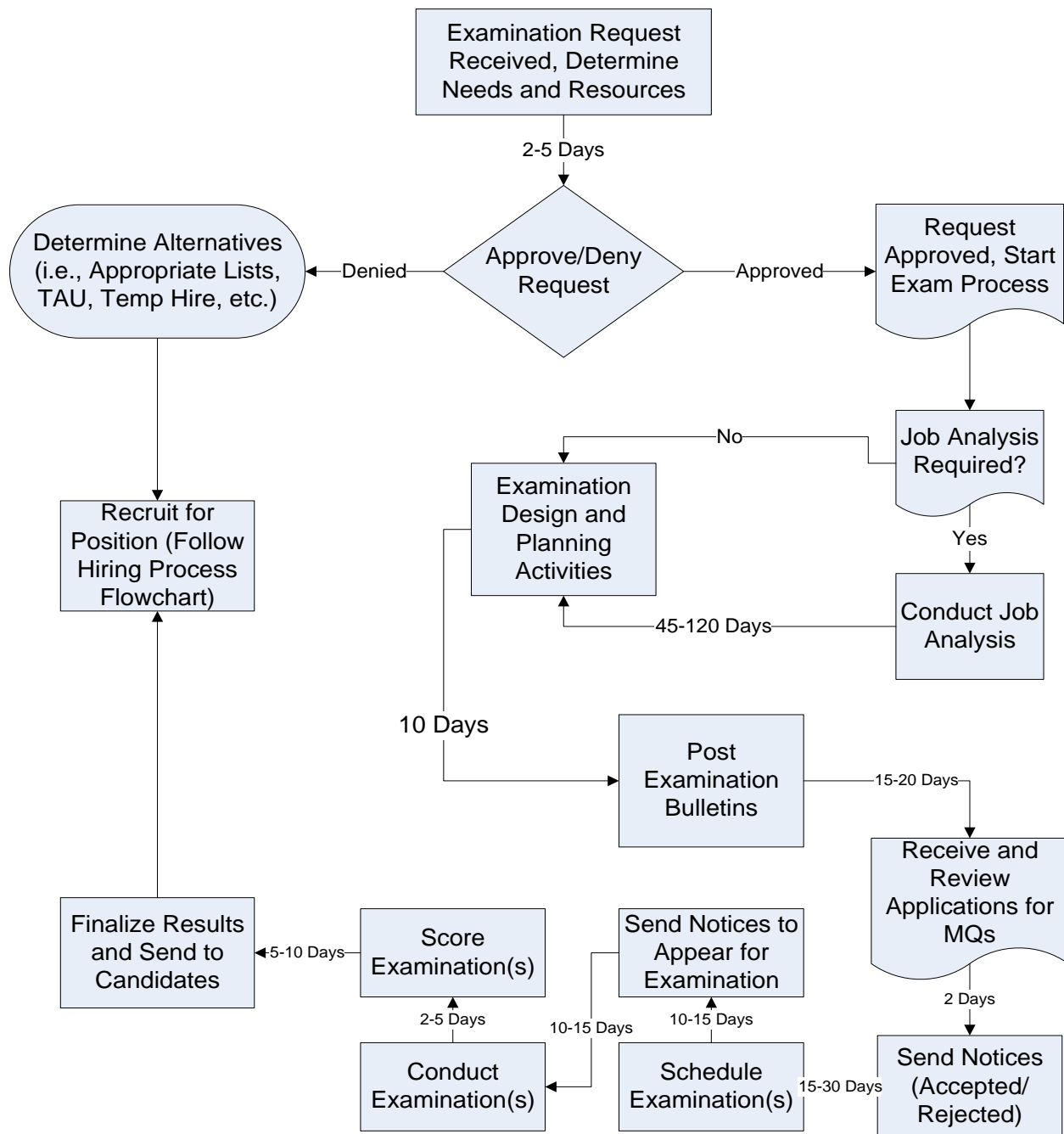
Note: Authority cited: Sections 18211, 18213 and 18701, Government Code. Reference:

Section 19050.4, Government Code.

K. FLOWCHARTS

1. Examination Process

State of California Examination Process Timelines Work Days



2. Hiring Process

State of California Hiring Process Timelines Working Days

